

Remarks

In response to the Notice of Non-Compliant Amendment of mailed August 13, 2003, reconsideration of the preliminary amendment is requested. It is respectfully asserted that the Preliminary Amendment filed on October 23, 2001 is compliance with all aspects of 37 CFR 1.121(b)(1)(iii) and the Notice should be withdrawn.

A Preliminary Amendment filed in the above-identified application on October 23, 2000 included amendments to the specification and claims (amendments to the claims were presented in the form of NEW claims only). On August 18, 2003, the PTO mailed a Notice of Non-Compliant Amendment stating in paragraph #2 that "A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii)." The Undersigned has made a diligent search of the amendments to the specification and cannot identify any amendment which is not identified by page and paragraph number, and then presented as both a clean version (an unmarked version) and as a marked-up version (showing the changes to the specification which have been made).

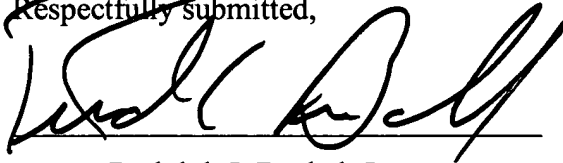
Additionally, the Undersigned contacted the Legal Instruments Examiner (LIE), (Ms. Sheila Chapman) who Issued the Notice for clarification of the Notice. Ms. Chapman informed the Undersigned that Examiner Jacques Veillard originally had brought the alleged discrepancy in the application to her attention, and she referred any questions regarding the Notice to Examiner Veillard. The Undersigned then contacted Examiner Veillard by telephone who stated it would be necessary for him to order the above-identified application before he could identify which amendments to the specification were not presented in a marked-up version. After then, the Undersigned was unable to make contact with either Ms. Chapman or Examiner Veillard.

It is surmised by the Undersigned that one or more pages of the Appendix of the Preliminary Amendment (which contained the Version of the Paragraphs of the Specification With Markings) may have been lost at the PTO. Therefore, the entire

Preliminary amendment has been reproduced below in a form which complies with
37CFR 1.121.

Date: September 10, 2003

Respectfully submitted,



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